

**JUDSON H. HILL, ESQ.**

March 2, 2019

**By ECFS**

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Sage Telecom Communications, LLC and Telscape Communications, Inc. d/b/a TruConnect; WC Docket Nos. 17-287, 11-42, 09-197, 18-213.

Dear Ms. Dortch:

On February 28, 2019, I, a former Georgia State Senator and current advisor to Telscape Communications, Inc. d/b/a TruConnect and Sage Telecom Communications, LLC (collectively, (TruConnect)) met separately with Commissioner Michael O’Rielly; Arielle Roth, Wireline Legal Advisor; Jamie Susskind, Chief of Staff to Commissioner Brendan Carr; and Nirali Patel, Wireline Advisor to the Chairman to discuss the FCC Order, Notice of Proposed Rulemaking and Notice of Inquiry released by the Commission on December 1, 2017<sup>1</sup> and Notice of Inquiry, released by the Federal Communications Commission on August 3, 2018, WC Docket No. 18-213.<sup>2</sup>

During each meeting I emphasized that TruConnect shared the FCC’s focus to root out any remaining waste, fraud and abuse in the Lifeline program to ensure that only people who are eligible will receive Lifeline services. I also emphasized that current technologies enable a Lifeline device to be used to access innovative telemedicine opportunities thereby improving health and healthcare access for lower income Americans. Without this service, many low-income Americans would incur even greater challenges finding employment, accessing healthcare and helping their children completing homework away from school, not to mention reaching emergency first responders.

In addition, I discussed that the National Verifier’s roll-out has many challenges which if not corrected, will be expensive for USAC and may very likely contribute to *increased* waste, fraud and abuse because currently databases are difficult to access, are sometimes unreliable, and the current design requires multiple steps necessitating engaging a sales representative when one is not always required. I emphasized that the system should implement application programming interfaces (API) to improve the enrollment process from that originally proposed.

<sup>1</sup> See *Bridging the Digital Divide for Low-Income Consumers et al.*, WC Docket No. 17-287 et al. Fourth Report and Order, Order on Reconsideration, Memorandum Opinion and Order, Notice of Proposed Rulemaking, and Notice of Inquiry, FCC 17-155 (Nov. 16, 2017); see Notice of Inquiry, released by the Federal Communications Commission on August 3, 2018, WC Docket No. 18-213.

<sup>2</sup> See Ex Parte filing from Counsel to Q Link Wireless, LLC, WC Docket No. 17-287, WC Docket No. 11-42 and WC Docket No. 09-197 filed May 25, 2018 and supplemented May 31, 2018.

We also discussed USAC's recent added requirement that potential customers during registration must show proof of the issuance or expiration dates of their government benefits and how impactable that requirement is since the majority of government program cards do not include dates and, moreover, the government online database should already have that information. Consequently, many otherwise eligible people may now not be able to register for Lifeline, find the new verification process too challenging and not enroll in this program which might have helped them find a job, stay employed or obtain emergency and healthcare services. Furthermore, under the current National Verifier design rural Americans and those lacking access to healthcare will undoubtedly be harmed the most since disproportionately they depend on web-based enrollment and lack access to in-person assistance.

I also discussed that real solution lies in re-establishing a port freeze and utilize APIs similar to the proven technologies used by most every other established federal program. Those APIs provide a very efficient way to exchange information between companies, individuals and the government. Immediately APIs should be re-considered for the National Verifier. To be clear, APIs provide enhanced accountability and would help USAC and the Commission more effectively determine the accuracy of presented eligibility data. Use of APIs would also allow the government to more accurately evaluate the status of current fraud and abuse in the program before making other program changes. Furthermore, in a desire to insure data and program integrity rather than allow a plethora of groups to access data through an API interface, perhaps APIs access should be limited to approved ETCs. This would be a very effective approach to combat waste, fraud and abuse. Finally, once again, for the National Verifier to effectively work and for eligibility information to be accurate and reliable, a port freeze should be implemented.

Without a port freeze eligibility verification is very difficult and may not be accurate if a subscriber frequently switches Carriers. Currently without a port freeze proposed subscribers could switch daily. Currently subscriber eligibility may be confirmed by mistake because with frequent switching, or churning, sometimes data is not up to date or reliable. I also explained that a 60-day port-freeze will help make eligibility confirmations more accurate and reliable. A port freeze will effectively reduce a large percentage of waste, fraud and abuse because frequent switching, or churning may actually "encourage" or enable fraud. Otherwise there is no benefit to frequently switch Carriers. To summarize, I stated that frequent switching makes eligibility verification difficult, data less reliable and unnecessarily increases costs for USAC and the Carrier.

Recognizing that the FCC does not hear very much about the port freeze, I further emphasized that regulatory certainty and reduced subscriber churning, in other words, a port freeze requirement of 60 days will help the FCC achieve some of their stated objectives, i.e. advancing telemedicine and rural access to better communications because a freeze brings stability and economic certainty for ETCs. With program certainty many ETCs will readily expand their offerings across America and will offer innovative add-on healthcare and job search application technologies to the Lifeline devices that support the Commission's initiatives.

Next, I reminded that initially under the Wheeler Chairmanship minimum standard requirements went hand in hand with a one-year port freeze, however, when the port freeze requirement was lifted the increase minimum standards mandate was not eliminated or even frozen. Since then the requirements continue to be increased, perhaps it is now time to freeze the "automatic" increases and allow time for the Commission to first analyze the statistical data to quantify any benefits achieved as well as examine other recent or near-term changes to the program. Better yet, if the port freeze is not re-established then

the minimum standards requirement should be eliminated.

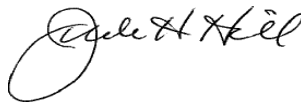
Lastly, I shared that in 2010 the Commission froze ETC admission in certain states that allow the FCC to control their ETC program entrance (“default states”). This freeze has never been lifted even with subsequent rule changes and new eligibility verification requirements. I suggested that removal of the default state application freeze would bring needed competition in those states, will benefit Lifeline subscribers and will improve subscribers’ access to connectivity especially in rural America. Furthermore, to achieve that stated objectives of the proposed telehealth pilot it would be important to open up more states to improved access to serve lower income Americans, especially in rural areas.

My meeting with Jamie Susskind was more focused on Commissioner Carr’s telemedicine initiatives and the possible structural design and pilot focus.

I concluded our conversations expressing a desire to actively and constructively participate in the Lifeline rulemaking to help the Commission achieve their stated objectives.

Pursuant to section 1.1206(b) of the Commission’s rules, this letter is being filed electronically.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Judson H. Hill". The signature is fluid and cursive, with a large loop at the beginning.

Judson H. Hill, Esq.

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cc: Commissioner Michael O’Rielly  
Arielle Roth  
Nirali Patel  
Jamie Susskind